

MEMO ENDORSED



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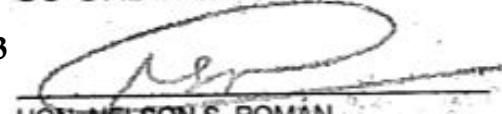
September 27, 2023

VIA ECF

Hon. Nelson S. Roman
United States District Court Judge
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Defendant's request is DENIED.
Clerk of Court is requested to
terminate the motion at ECF No. 901.
Dated: September 27, 2023
White Plains, NY

SO ORDERED:



HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

Dear Judge Roman:

We write on behalf of defendant Aron Rosner to request a modest modification of his conditions on supervised release, with consent of the government. The Court imposed a nine-month period of home confinement on Mr. Rosner as a special condition of his one year of supervised release. That period of home confinement expires on September 30, 2023. We respectfully request the Court to authorize the home detention condition to expire two days earlier, on September 28, 2023, to allow Mr. Rosner to prepare for and celebrate the Jewish religious holiday of Sukkot, which begins at sundown on September 29, 2023. As the Court may know, this holiday requires observers to build an external covered hut in which to reside for a period of approximately one week. The covered hut commemorates the sheltering of Jewish ancestors as they traveled out of Egypt. This holiday is one of the most solemn holidays in the Jewish calendar.

We are happy to report that Mr. Rosner has a perfect record on home confinement over the past nine months and is in full compliance of his overall terms of supervised release. He will continue to be supervised under the general conditions of supervised release over the next three months. We only ask that his period of home detention end two days earlier to allow him to comply with his religious observance. *See United States v. Hernandez*, 209 F.Supp.3d 542 (E.D.N.Y. 2016) (Weinstein, J.) (vacating condition of supervised release curtailing defendant's ability to attend religious services in child pornography case because it was not "narrowly tailored to serve a compelling government interest" so as not to deprive a defendant of First Amendment right to religious observance). We have conferred with counsel for the government (A.U.S.A. Jamie Bagliebter), who consents to this request. The Probation Department defers this decision to the Court and the parties.

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Respectfully submitted,

/s/ HEM

Henry E. Mazurek
Counsel for Defendant Aron Rosner